

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated January 30, 2004.

The applicant has noted and has responded to the objection to claims 1-28 under 37 CFR 1.75 and has further responded to the rejection of the same claims under 35 U.S.C. §112 by deleting the parentheses from the claims and the utilization of the terminology "and/or", although the applicant disagrees with the basis of the objection/rejection. Reconsideration and withdrawal of the said rejection is requested.

The Examiner has maintained the rejection of claims 1-28 on grounds of prior art over references that include Harrington as a primary reference, and Barlow as a secondary reference. Reconsideration is requested.

Preliminarily, it is noted that in the "Response to Amendment", at page 8 of the Office Action, no comment is made relative to the applicant's previously submitted arguments vis-à-vis the prior art of record.

The invention of claim 1 differs in a fundamental manner from the literally tens of thousands of examples that are found in the patent and non-patent literature which concern e-commerce. In the typical e-commerce application, a system is provided which enables a user or a purchaser to access vendor-based data records, through her computer terminal or the like.

In marked contrast, and as indicated in the preamble of claim 1, the present invention is an "asset tracking, managing and servicing system", rather than a commonplace e-commerce purchasing or information gathering system. Through the provision of two subsystems, namely the claimed A/R DB (user-based assets and/or information data records) subsystem and the interaction of that subsystem with a C/C (control/communication) subsystem, the data records of the A/R DB are interrelated and interacted with so-called SP/V data records which are vendor based. This creates current user information, including via interactions initiated by vendors.

Respectfully, nothing even remotely comparable is disclosed in the prior art of record.

The primary Harrington reference has a client database which is actually a client browser that allows an individual user to enter information that the user is interested in obtaining information relative thereto. Nothing is described in this primary reference that allows a vendor-based system to comb a particular database which holds the personal data records of a plurality of users, in order to initiate a proposal or to take action relative to the private assets or information of those individuals.

The secondary reference, Barlow, does not disclose the concept or the structure or the functionality of the present invention, including the function of a controlling communication subsystem "that causes interactions between the A/R data records", i.e., the records that are user-referenced, and the SP/V data records that are vendor-referenced, in a manner that creates current user information, including via interactions initiated by vendors", as specifically set forth in claim 1.

More specifically, Barlow describes a system and method for configuring and managing resources on a multi-purpose integrated circuit smartcard using a personal computer. A user maintains information about their personal assets or other aspects of their lives on an intelligent PC card. That card can be connected to a computer locally to monitor and update its contents, or to a remote computer. However, neither of the two references of record teaches explicitly a subsystem that causes interaction between vendor-referenced information and personal information in a manner that creates current user information, including via interactions initiated by vendors. There is nothing in these references which discloses vendors being able to access people's personal information and to apprise them that certain action needs to be taken relative to that information or that certain options are available to these users relative to their personal assets and private information.

In summary, therefore, the applicant traverses and seeks reconsideration of the Office Action conclusion that the invention of claim 1 is disclosed or suggested in any of the references of record. All of the remaining claims in the application which are dependent on claim 1, include its limitations and impose further limitations thereon which places them even further apart from the prior art. As such, all of the claims in the application are believed to clearly distinguished over the prior art.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 30, 2004

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Signature

April 30, 2004
Date of Signature

Respectfully submitted,

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